

Urgency Application No. 13571 of 2019

In

BAI No. 1901 of 2019

Hon'ble N.S. Dhanik, J.

Mr. Mohd. Umar, Advocate for the applicants.

Mr. Rakesh Kumar Joshi, Brief Holder for the State of Uttarakhand.

Mr. Parikshit Saini, Advocate for the complainant.

Heard learned counsel for the parties.

This is the first bail application moved on behalf of the applicants seeking regular bail in connection with Case Crime No. 120 of 2019 for the offences punishable under Section 147, 148, 149, 304 and 120-B of I.P.C. registered at P.S Kotwali Gangnahar Roorkee, District Haridwar.

Learned counsel for the applicants submits that the applicants have falsely been implicated in the instant crime; have no criminal history and are languishing in jail since 06.04.2019. Learned counsel for the applicants also submits that F.I.R. is a delayed one, inasmuch as there is a delay of 2 days and the applicants are not named in the F.I.R. Learned counsel for the applicants further submits that co-accused namely Pankaj Rana has already been granted bail by this Court on 21.08.2019 and the present applicant is also entitled for bail at least on the ground of parity.

Learned State Counsel admits that this is a case of parity.

Considering the facts and circumstances of the case, without expressing any opinion as to the final merits of the case, this Court is of the view that the applicants deserve bail at this stage.

The bail application is allowed.

Let the applicants be released on bail, on executing a personal bond by each one of them and furnishing two reliable sureties for each one of them, each of like amount, to the satisfaction of Court concerned.

(N.S. Dhanik, J.)

31.10.2019